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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,335	10/07/2003	Nobushige Aoki	03500.017642	2654
5514	7590	09/14/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			HASSAN, AURANGZEB	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2182	

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/679,335	AOKI ET AL.	
	Examiner	Art Unit	
	Aurangzeb Hassan	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 8-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Fritz Fleming
FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

9/8/2006

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 8 - 19 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6/13/2006.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites an external device in line 14. It is unclear to the examiner whether the external device represents the printer or a separate device, which is external to both the computer and the printer.

5. Claim 6 recites a print control unit of the computer providing instructions to the printer. Claim 6 depends on claim 5 that recites without an intermediation of the computer. It is unclear to the examiner as to how the computer's print control unit

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providing instructions to the printer is considered without an intermediation of the computer.

Applicant is required to clarify which step exactly does the computer not intermediate in the print process.

6. Claim 6 recites the limitation "the print control unit" in line 3 of claim 6. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 7 similarly recites the computer issuing requests to the printer and further reinforces the citation of "without the intermediation of the computer" yet it is unclear to the examiner as to how a computer request can be considered not to consist of intermediation by the computer.

Applicant is required to clarify which step exactly does the computer not intermediate in the print process.

8. Claim 7 recites the limitation "the print data" in line 2 of claim 7. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 7 recites the limitation "the print data generation unit" in line 3 of claim 7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

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10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura et al. (US Patent Number 6,947,158 hereinafter "Kitamura") in view of Narusawa et al. (US Publication Number 2003/0085942 hereinafter "Narusawa").

12. As per claim 1, Kitamura teaches a print system comprising (figure 1): a printer (printer 6, figure 1); and a computer (CPU 1, figure 1) communicated with the printer, and wherein the computer comprises: detecting means for detecting the interruption event from an external device (input device 5, figure 1); and a display control unit (window display means 22, figure 2) for displaying a print preview in which a print setting is reflected in real time, in response to detecting the interruption event by the detecting means (figure 3, column 4, lines 16 – 35).

Kitamura does not disclose all the functionality of the printer.

Narusawa teaches a print system wherein the printer comprises: an operation panel for receiving a print setting instruction from a user (user interface, figure 5); an operation panel controller for generating an interruption event to the computer (interrupt generation, paragraph [0083] in communication with computer [0085]), according to the

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instruction received by the operation panel (paragraph [0086]); and a printer engine for performing printing (print engine 28, figure 2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to pair and modify Kitamura with a printer teaching of Narusawa taught above. One of ordinary skill would be motivated to make such modification in order to effectively provide flexibility in a user interface and readily selecting a desired print-condition file from a memory card with a plurality of print-condition files stored therein (paragraph [0010]).

13. Kitamura modified by the teachings of Narusawa as applied in claim 1 above as per claim 2, Kitamura teaches a print system, wherein the computer further comprises a control unit for generating print data reflecting the print setting (input device controlled user edits, column 4, lines 25 – 35), and performing a print request to the printer ("OK" command request to start printing, column 4, lines 36 – 42).

14. Kitamura modified by the teachings of Narusawa as applied in claim 1 above as per claim 3, Kitamura teaches a print system, wherein the computer further comprises: a receiving unit for receiving the interruption event (computer system handles interrupts from input devices 5, figure 1, column 3, lines 39 – 50); a print setting management unit for managing the print setting instructed with the operation panel (program associated with preview window 30, figure 3); a print control unit (command box 35, figure 3); and a print data generation unit (printer driver 21, figure 1, column 5, lines 9 – 22).

Narusawa further discloses an image data management unit for receiving and managing image data from a memory card attached to the printer (communication interface circuit 29, figure 2 to the computer's USB or parallel interface, paragraph [0085]).

15. Kitamura modified by the teachings of Narusawa as applied in claim 1 above as per claim 4, Kitamura teaches a print system, wherein the print data generation unit converts the image data from the image data management unit to print data based on information from the print setting management unit, and sends the generated print data to the printer (printer driver receives print request signal and conducts printing, column 5, lines 5 – 22).

16. Kitamura modified by the teachings of Narusawa as applied in claim 1 above as per claim 5, Narusawa teaches a print system, wherein the printer includes a direct print controller for executing printing without an intermediation of the computer so that printing is executable with the printer alone (stand-alone printer, paragraph [0078]).

17. Kitamura modified by the teachings of Narusawa as applied in claim 1 above as per claim 6, Kitamura teaches a print system, wherein the printer solely executes print processing, according to an instruction from the print control unit of the computer (printing, steps 7 and 8, figure 4).

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18. Kitamura modified by the teachings of Narusawa as applied in claim 1 above as per claim 7, Narusawa teaches a print system, wherein, when printing cannot be executed using the print data from the print data generation unit, the computer requests the printer to switch to direct print processing without the intermediation of the computer (computer connected via USB or parallel, paragraph [0079], to provide print-condition settings, paragraph [0086]).

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Publication Number 2005/0275872 teaches a printer with a memory card reader integrated on the surface of the printer further coupled to a computer. The system allows for data enhancement of images stored on the card and the Examiner further cites the functionality of an operating system and the print preview functionality inherited therein. Operating systems further include drivers to handle and process interrupts from devices that are connected to the computer. The Examiner also makes US Publication Number 2002/0054350 of record as pertinent prior art as it teaches a printer with memory card and stand-alone capabilities as well as functionality of being coupled with a computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aurangzeb Hassan whose telephone number is (571)


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272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH


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